

## REMARKS

In a previous Office Action dated April 20, 2005, it was stated that Claims 12-15 were allowable, but would have to be amended so as not to depend from rejected claims. In response, in an Amendment dated July 20, 2005, allowable Claims 12, 13, 14, and 15 were amended to independent form so as to include all of the limitations of the claims from which they previously depended. Also, Claims 2-8 were amended to depend from the allowable Claims 12-15.

Then, in the last Office Action, dated October 19, 2005, the stated allowability of those claims was withdrawn and all the pending claims, with the exception of Claim 7, were rejected as being anticipated by the newly cited Neter patent, while Claim 7 was rejected as being obvious in view of a combination of the disclosures of the Neter and Kaji patents. In this regard, Applicants believe that the claims as presented in the last-filed Amendment are all allowable over the Neter and Kaji references for the reasons given below.

Looking first to independent Claim 12 it is seen that the claimed invention requires a first read-out mode for reading signals of pixels contained in a first image pickup area through addition of  $n$  pixels ( $n$  is a natural number), and a second read-out mode for reading signals of pixels contained in a second image pickup area smaller than the first image pickup area, without addition or through addition of  $m$  pixels ( $m < n$ ,  $m$  is a natural number). Moreover, the claimed invention is arranged so as to effect exposure control in accordance with a difference between the numbers  $n$  and  $m$  of pixels to be added in the

respective two read-out modes (e.g., the third embodiment). Claim 12 also requires an exposure control circuit combining an amplifier circuit for controlling an amplification factor of the signals read out from the first and second image pickup areas in accordance with the first and second read-out modes.

That is, according to the present invention, as defined in independent Claims 12-15, the second image pickup area is smaller than the first image pickup area. In this regard, the present invention is based on a technique wherein the two different sized areas are designated and subjected to a read out thereby performing a partial signal reading. By these means it is seen that in the present invention the number of pixels read out from two different areas are not the same. Instead, the numbers of the pixels in the first and second areas of different sizes are read out, so that the numbers of the signals read out therefrom are also significantly different.

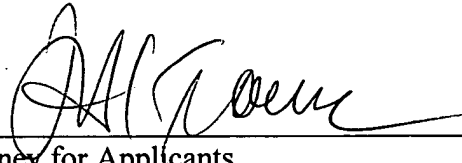
Applicants respectfully submit that these requirements of Claim 12 are clearly patentably distinct over the principal rejecting reference, the Neter patent, because that patent does not disclose different size pickup areas as required in Claim 12.

For example, Neter discloses that a 4 x 4 group of pixels is first read (see, e.g., block 250 in Fig. 9), whereupon successive 4 x 4 blocks are then read and processed (blocks 266, 268 and 270). Thus, according to Neter, each 4 x 4 block of pixels includes 8 green pixels, 4 red pixels and 4 blue pixels, which are added after the 4 x 4 unit is read, and then successive horizontal 4 x 4 block of pixels are read. Accordingly, there is no difference in the number of pixels which are read for successive areas as claimed by Applicants in Claim 12.

For these various reasons Applicants respectfully submit that each of the independent claims, as well as all of the dependent claims, are patentably distinct over the cited references. Accordingly, the issuance of a formal Notice of Allowance is solicited.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'J. A. Krause', is written over a horizontal line.

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